

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

August 25, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 25th day of August, 2009, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

PRESENTATION OF AN AWARD FOR LAW ENFORCEMENT RE-ACCREDITATION TO THE NORMAN POLICE DEPARTMENT FROM THE OKLAHOMA ASSOCIATION OF CHIEFS OF POLICE.

Councilmember Kovach moved that Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department be acknowledged, which motion was duly seconded by Councilmember Quinn;

- Items submitted for the record
1. Memorandum dated August 12, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
 2. Letter dated August 7, 2009, from Stacey L. Puckett, Executive Director, Oklahoma Association of Chiefs of Police, to Chief Phil Cotten, Norman Police Department
 3. Oklahoma Association of Chiefs of Police, Oklahoma Law Enforcement Agency Accreditation and Professional Standards Program Report of Re-Assessment dated July 3, 2009
- Participants in discussion
1. Mr. Phil Cotten, Police Chief

and the question being upon acknowledging Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department was acknowledged.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 32 excluding Item 6 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 32 excluding Item 6, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 5 through Item 32 excluding Item 6 were placed on the consent docket by unanimous vote.

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Item 5, being:

CITY COUNCIL CONFERENCE MINUTES OF AUGUST 11,2009
CITY COUNCIL MINUTES OF AUGUST 11, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 11, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 11, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 11, 2009

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. City Council Conference minutes of August 11, 2009
 - 2. City Council minutes of August 11, 2009
 - 3. Norman Utilities Authority minutes of August 11, 2009
 - 4. Norman Municipal Authority minutes of August 11, 2009
 - 5. Norman Tax Increment Finance Authority minutes of August 11, 2009

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 6, being:

CONSIDERATION OF THE FOLLOWING ORDINANCE UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0910-6: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 15-203 TO CHAPTER 15 OF THE CODE OF THE CITY OF NORMAN TO INCREASE THE PENALTY FOR VIOLATION OF SECTION 15-302, DRINKING INTOXICATING BEVERAGES IN A PUBLIC PLACE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Item 6 was withdrawn at the request of Staff.

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Item 7, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2009.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Finance Director's Investment Report of July 31, 2009

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 8, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2009.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Monthly Departmental Reports for the month of July, 2009

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 9, being:

CONSIDERATION OF BID NO. 0910-4 FOR THE WATER TREATMENT PLANT UPGRADE PROJECT, PHASE I, AND RESOLUTION NO. R-0910-49.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$12,250,132 be awarded to Wynn Construction Company, Inc., as the lowest and best bidder meeting specifications contingent upon OWRB authorization and approval of construction documents and the Chairman be authorized to sign Contract No. K-0910-29, Performance Bond No. B-0910-11, Statutory Bond No. B-0910-12, and Maintenance Bond No. MB-0910-6 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Water Treatment Plant Upgrade Project, Phase I, and Resolution No. R-0910-49 be adopted, which motion was duly seconded by Trustee Cubberley;

Item 9, continued:

Items submitted for the record

- 1. Memorandum dated August 5, 2009, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
- 2. Letter dated August 7, 2009, from Thomas O. Crowley, P.E., Project Manager, Carollo Engineers, P.C., to Chris Mattingly, P.E., Utilities Superintendent, Norman Water Treatment Plant
- 3. Bid tabulation dated July 30, 2009, for the Norman Water Treatment Plant Expansion Project, Phase I
- 4. Resolution No. R-0910-49
- 5. Purchase Requisition No. 0000161068 dated August 19, 2009, in the amount of \$12,250,132 to Wynn Construction Company, Inc.

Participants in discussion

- 1. Mr. Ken Komiske, Director of Utilities

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid contingent upon OWRB authorization and approval of the construction documents, authorizations, and adoption, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$12,250,132 was awarded to Wynn Construction Company, Inc., as the lowest and best bidder meeting specifications contingent upon OWRB authorization and approval of the construction documents; the Chairman was authorized to sign Contract No. K-0910-29, Performance Bond No. B-0910-11, Statutory Bond No. B-0910-12, and Maintenance Bond No. MB-0910-6 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Water Treatment Plant Upgrade Project, Phase I; and Resolution No. R-0910-49 was adopted.

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Item 10, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-0910-5 FROM DUKE’S ROOT CONTROL, INC., TO PROVIDE PROFESSIONAL SERVICES TO CONTROL ROOT GROWTH IN VARIOUS SEGMENTS OF THE SEWER COLLECTION SYSTEM FOR THE LINE MAINTENANCE DIVISION AND APPROVAL OF CONTRACT NO. K-0910-60.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Request for Proposal No. RFP-0910-5 from Duke’s Root Control, Inc., to provide professional services for the control of root growth in the sewer collection system be accepted, Contract No. K-0910-60 in an amount not-to-exceed \$125,000 be approved, and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 10, 2009, from David Hager, Utilities Superintendent, to Chairman and Members, Norman Utilities Authority
- 2. Tabulation of proposals dated July 16, 2009, for sewer root control services
- 3. Contract No. K-0910-60
- 4. Purchase Requisition No. 0000161063 dated August 19, 2009, in the amount of \$125,000 to Duke’s Root Control, Inc.

Item 10, continued:

and the question being upon accepting Request for Proposal No. RFP-0910-5 from Duke’s Root Control, Inc., to provide professional services for the control of root growth in the sewer collection system and upon the subsequent approval and authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Request for Proposal No. RFP-0910-5 from Duke’s Root Control, Inc., to provide professional services for the control of root growth in the sewer collection system accepted; Contract No. K-0910-60 in an amount not-to-exceed \$125,000 was approved and the execution thereof was authorized.

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Item 11, being:

CONSIDERATION OF BID NO. 0910-8 FOR THE LIFT STATION D REHABILITATION PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$5,840,000 be awarded to Walters-Morgan Construction, Inc., as the lowest and best bidder meeting specifications contingent upon OWRB authorization and approval of the construction documents and the Chairman be authorized to sign Contract No. K-0910-34, Performance Bond No. B-0910-15, Statutory Bond No. B-0910-16, and Maintenance Bond No. MB-0910-8 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Lift Station D Rehabilitation Project, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated August 10, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Letter dated August 14, 2009, from Joel R. Cantwell, P.E., Project Manager, HDR Engineering, Inc., to Mr. Mark Daniels, P.E., Utilities Engineer
3. Bid tabulation dated August 6, 2009, for the Lift Station D Rehabilitation
4. Purchase Requisition No. 0000160896 dated August 17, 2009, in the amount of \$5,840,000 to Walters-Morgan Construction, Inc.

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid and authorizations, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$5,840,000 was awarded to Walters-Morgan Construction, Inc., as the lowest and best bidder meeting specifications contingent upon OWRB authorization and approval of the construction documents and the Chairman was authorized to sign Contract No. K-0910-34, Performance Bond No. B-0910-15, Statutory Bond No. B-0910-16, and Maintenance Bond No. MB-0910-8 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Lift Station D Rehabilitation Project.

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Item 12, being:

CONSIDERATION OF BID NO. 0910-9, CONTRACT NO. K-0910-45, PERFORMANCE BOND NO. B-0910-19, STATUTORY BOND NO. B-0910-20, MAINTENANCE BOND NO. MB-0910-10, AND RESOLUTION NO. R-0910-40 FOR THE NORMAN PUBLIC LIBRARY ROOF PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$743,815 be awarded to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0910-45 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract be authorized; and Resolution No. R-0910-40 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated August 7, 2009, from Matthew T. Smith, Facility Maintenance Superintendent, to Honorable Mayor and City Councilmembers
- 2. Bid tabulation dated August 7, 2009, for the Norman Public Library Roof Replacement Project
- 3. Contract No. K-0910-45
- 4. Performance Bond No. B-0910-19
- 5. Statutory Bond No. B-0910-20
- 6. Maintenance Bond No. MB-0910-10
- 7. Resolution No. R-0910-40
- 8. Purchase Requisition No. 0000161071 dated August 19, 2009, in the amount of \$743,815 to Standard Roofing Company, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, directive, authorization, and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$743,815 was awarded to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0910-45 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; and Resolution No. R-0910-40 was adopted.

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Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 0910-12 FOR THE PURCHASE OF ROAD SALT FOR THE STREET DIVISION.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid be awarded to Bingham Sand and Gravel Company, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated August 7, 2009, from Greg Hall, Street Superintendent, to Mayor and City Council
- 2. Bid tabulation dated August 6, 2009, for road salt

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid was awarded to Bingham Sand and Gravel Company, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, Inc., as the alternate bidder.

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Item 14, being:

CONSIDERATION OF THE CITY'S APPLICATION FOR PERMISSION TO CARRY ITS OWN RISK WITHOUT WORKERS' COMPENSATION INSURANCE.

Councilmember Kovach moved that the application be approved, the execution thereof be authorized, and submission of the application to the Workers' Compensation Court Administrator for review and payment in the amount of \$500 be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 19, 2009, from Clint Mercer, Chief Accountant, through Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
2. Letter of transmittal dated August 19, 2009, from Clint Mercer, CPA, Risk Manager, to Richard Fisher, Director of Insurance, Workers' Compensation Court
3. Workplace Safety Plan dated August 19, 2009, from Clint Mercer, CPA, Risk Manager, to Richard Fisher, Director of Insurance, Workers' Compensation Court
4. Oklahoma Workers' Compensation Court Employer's Application for Permission to Carry Its Own Risk Without Insurance dated August 1, 2009
5. Workers' Compensation Court Designation of Service Agent dated August 1, 2009
6. Check No. 229103 dated August 7, 2009, in the amount of \$500 from the City of Norman to Workers' Compensation Court

and the question being upon approving the application and upon the subsequent authorization and directives, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the application approved; the execution thereof was authorized and submission of the application to the Workers' Compensation Court Administrator for review and payment in the amount of \$500 were directed.

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Item 15, being:

CONSIDERATION OF THE RELEASE OF CASH SURETY FOR DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS IN CONNECTION WITH CROWN POINT ADDITION.

Councilmember Kovach moved that the release of the owner's obligation for deferred construction be approved and the return of Certificate of Deposit No. 6844280 in the amount of \$3,051.15 to the owner be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 10, 2009, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Memorandum dated February 17, 1987, from Ken Danner, Development Coordinator, through David A. Rennie, Director of Public Works, to Dave Clark, Acting City Manager
3. Item 21 of the City Council Agenda of March 10, 1987, Consideration of Approval of the Return of Cash Surety for Deferred Construction for Drainage Improvements in Connection with Sonic No. 1 Addition.
4. Location map
5. Site plan
6. Certificate of Deposit No. 036 6844280 dated October 30, 1997, in the amount of \$3,051.15 issued to Richard S. Dowell, III, and the City of Norman
7. Letter of request dated April 22, 2009, from Richard Dowell, President, Dowell Properties, Inc., to Ken Danner, City of Norman
8. Pertinent excerpts from City Council minutes of August 13, 1996

Item 15, continued:

and the question being upon approving the release of the owner’s obligation for deferred construction and upon the subsequent directive, a vote was taken with the following vote:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the release of the owner’s obligation for deferred construction approved; and the return of Certificate of Deposit No. 6844280 in the amount of \$3,051.15 was directed.

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Item 16, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR LINKS AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED STREET, DRAINAGE, AND SIDEWALK IMPROVEMENTS FOR CEDAR LANE.

Councilmember Kovach moved that the final site development plan and final plat and the deferral of street, drainage, and sidewalk improvements for Cedar Lane be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of a fee in the amount of \$414,466.50 for the deferral of paving, drainage, and sidewalk improvements for Cedar Lane within ten (10) days after approval and a warranty deed for parkland dedication requirements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 10, 2009, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Final site development plan
5. Final plat
6. Staff Report dated May 14, 2009
7. Pertinent excerpts from Board of Parks Commissioners minutes of December 3 and December 8, 2008, and January 5, 2009
8. Pertinent excerpts from Planning Commission minutes of May 14, 2009
9. Letter dated July 27, 2009, from Jerry Kelso, P.E., Crafton, Tull, Sparks, to Ken Danner, City of Norman
10. Engineer’s Estimates of Probable Construction Cost dated July 24, 2009, the Links at Norman, Phase I, for offsite sanitary sewer lift station, 12-inch gravity sewer, and twelve-inch pressure main; water line along East Cedar Lane; street widening for 24th Avenue S.E. and East Cedar Lane; Cedar Lane Improvements (Phase 1); Cedar Lane Improvements (future phase); and on-site water and sewer, Phase I, in the amount of \$414,466.50

and the question being upon approving the final site development plan and final plat and the deferral of street, drainage, and sidewalk improvements for Cedar Lane and upon the subsequent acceptance, authorizations, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

Item 16, continued:

The Mayor declared the motion carried and the final site development plan and final plat and the deferral of street, drainage, and sidewalk improvements for Cedar Lane approved; the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of a fee in the amount of \$414,466.50 for the deferral of paving, drainage, and sidewalk improvements for Cedar Lane within ten (10) days after approval and a warranty deed for parkland dedication requirements; and the filing of the final site development plan and final plat was directed.

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Item 17, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0809-4 FOR THE LOTS 24 AND 25, BLOCK 1, ASHTON GROVE ADDITION (4340 COVINGTON WAY)

Councilmember Kovach moved that Consent to Encroachment No. 0809-4 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated August 20, 2009, from Leah K. Bunney, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Consent to Encroachment No. 0809-4
- 3. Proposed wall exhibit dated February 2, 2009, by Jacobs Engineering Group
- 4. Letter of request dated February 9, 2009, from Roger White, Bill Gumerson and Associates, to City of Norman
- 5. Location maps with description
- 6. Memorandum dated August 18, 2009, from Doug Koscinski, AICP, Manager of Current Planning, to Brenda Hall, City Clerk
- 7. Memorandum dated August 11, 2009, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
- 8. Memorandum dated February 24, 2009, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
- 9. Memorandum dated February 9, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator, and Ken Komiske, Director of Utilities
- 10. Letter dated July 20, 2009, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
- 11. Letter dated April 8, 2009, from Jason Hamel, South-Metro Norman, Oklahoma, Field Specialist, Oklahoma Natural Gas Company, to Mr. Roger White
- 12. Letter dated March 11, 2009, from Marshall Birchett, Right-of-Way Agent, Cox Communications, Inc., to Ken Danner, Planning and Community Development
- 13. Letter dated March 11, 2009, from Terri Hayes, Manager – OSP Planning and Engineering Design, AT&T, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. 0809-4 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Consent to Encroachment No. 0809-4 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 18, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0607-22: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRAFFIC ENGINEERING CONSULTANTS, INC., INCREASING THE CONTRACT AMOUNT BY \$61,000 TO PROVIDE ADDITIONAL ENGINEERING SERVICES ASSOCIATED WITH THE DESIGN OF NEW TRAFFIC SIGNALS AT THE INTERSECTIONS OF 36TH AVENUE N.W. AND ROCK CREEK ROAD AND TECUMSEH ROAD AND HEALTHPLEX/JOURNEY PARKWAY AND THE DEVELOPMENT OF TRAFFIC SIGNAL TIMING PLANS FOR STATE HIGHWAY 9 AND 24TH AVENUE WEST TRAFFIC SIGNAL INTERCONNECT PROJECT.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0607-22 with Traffic Engineering Consultants, Inc., increasing the contract amount by \$61,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 12, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
2. Amendment No. One to Contract No. K-0607-22 with Attachment A, Consultant Fees, Traffic Signal Design, Tecumseh Road and Healthplex Parkway/Journey Parkway; Attachment B, Consultant Fees, Traffic Signal Design, Rock Creek Road and 36th Avenue N.W.; Attachment C, Consultant Fees, Traffic Signal Interconnect Timing, State Highway 9 from 24th Avenue N.W. to John Saxon Boulevard; and Attachment D, Consultant Fees, Traffic Signal Interconnect Timing, 24th Avenue West from State Highway 9 to Robinson Street
3. Purchase Requisition No. 0000160975 dated August 18, 2009, in the amount of \$61,000 to Traffic Engineering Consultants, Inc.

and the question being upon approving Amendment No. One to Contract No. K-0607-22 with Traffic Engineering Consultants, Inc., increasing the contract amount by \$61,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0607-22 with Traffic Engineering Consultants, Inc., increasing the contract amount by \$61,000 approved; and the execution thereof was authorized.

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Item 19, being:

AMENDMENT NO. THREE TO CONTRACT NO. K-0607-35: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS, INC., IN THE AMOUNT OF \$1,115,420 TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR PHASE I OF THE WATER TREATMENT PLANT EXPANSION PROJECT AND ADOPTION OF RESOLUTION NO. R-0910-48.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Three to Contract No. K-0607-35 with Carollo Engineers, Inc., increasing the contract amount by \$1,115,420 be approved, the execution thereof be authorized, and Resolution No. R-0910-48 be adopted, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated August 11, 2009, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
2. Amendment No. Three to Contract No. K-0607-35 with Task Order No. Four with Exhibit A4, Scope of Work; Attachment A, Anticipated Construction Schedule; Exhibit C4, Fee Schedule as of March 1, 2009; and Exhibit B4, Estimated Fee
3. Resolution No. R-0910-48
4. Purchase Order No. 136148 dated July 27, 2006, in the amount of \$100,000 adding Amendment No. One in the amount of \$98,700, Amendment No. Two in the amount of \$1,081,700, and Amendment No. Three in the amount of \$1,115,420 for a total contract price of \$2,395,820

Item 19, continued:

and the question being upon approving Amendment No. Three to Contract No. K-0607-35 with Carollo Engineers, Inc., increasing the contract amount by \$1,115,420 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Three to Contract No. K-0607-35 with Carollo Engineers, Inc., increasing the contract amount by \$1,115,420 approved; the execution thereof was authorized and Resolution No. R-0910-48 was adopted.

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Item 20, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0708-42: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., IN AN AMOUNT NOT-TO-EXCEED \$150,000 TO PROVIDE PERMANENT WASTEWATER FLOW METERING SERVICES THROUGH AUGUST 28, 2010.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed \$150,000 through August 28, 2010, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

- Items submitted for the record
- 1. Memorandum dated July 29, 2009, from David Hager, Superintendent, to Norman Utilities Authority
 - 2. Amendment No. Two to Contract No. K-0708-42 with Attachment A, Compensation

and the question being upon approving Amendment No. Two to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed \$150,000 through August 28, 2010, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Two to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed \$150,000 through August 28, 2010, approved; and the execution thereof was authorized.

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Item 21, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0809-45: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND NEXTEL WEST CORPORATION TO PROVIDE ADDITIONAL EQUIPMENT, AND SERVICES AS PART OF THE FREQUENCY CONFIGURATION AGREEMENT FOR THE 800 MEGAHERTZ (MHZ) COMMUNICATION SYSTEM.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0809-45 with Nextel West Corporation be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. Memorandum dated August 6, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
 - 2. Amendment No. One to Contract No. K-0809-45 with Schedule C, (Revised) Cost Estimate-Certified Request, and Schedule D, Equipment List

Item 21, continued:

and the question being upon approving Amendment No. One to Contract No. K-0809-45 with Nextel West Corporation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0809-45 with Nextel West Corporation approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-0910-53: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER, L.L.C., IN THE AMOUNT OF \$364,000 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT ENERGY AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) IMPROVEMENTS PROJECT AND BUDGET TRANSFER RESOLUTION NO. R-0910-50.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-0910-53 with Garver, L.L.C., in the amount of \$364,000 be approved, the execution thereof be authorized, and Resolution No. R-0910-50 be adopted, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to Norman Utilities Authority
2. Contract No. K-0910-53 with Appendix A, Scope of Services; Appendix B, Compensation; and Appendix C, Garver Engineers Hourly Rate Schedule
3. Resolution No. R-0910-50
4. Purchase Requisition No 0000161069 dated August 19, 2009, in the amount of \$364,000 to Garver Engineers, L.L.C.

and the question being upon approving Contract No. K-0910-53 with Garver, L.L.C., in the amount of \$364,000 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No. K-0910-53 with Garver, L.L.C., in the amount of \$364,000 approved; the execution thereof was authorized and Resolution No. R-0910-50 was adopted.

* * * * *

Item 23, being:

CONSIDERATION OF THE FOLLOWING CONTRACTS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES ON AN AS-NEEDED BASIS FOR CAPITAL PROJECTS FOR THE UTILITIES DEPARTMENT:

CONTRACT NO. K-0910-54: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER, L.L.C.

CONTRACT NO. K-0910-61: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND POE AND ASSOCIATES, INC.

CONTRACT NO. K-0910-62: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CARDINAL ENGINEERING, INC.

CONSIDERATION OF THE FOLLOWING CONTRACTS TO PROVIDE PROFESSIONAL SURVEYING SERVICES ON AN AS-NEEDED BASIS FOR CAPITAL PROJECTS FOR THE UTILITIES DEPARTMENT:

CONTRACT NO. K-0910-55: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND LEMKE LAND SURVEYING, INC.

CONTRACT NO. K-0910-63: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND POE AND ASSOCIATES, INC.

CONTRACT NO. K-0910-64: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND MARK DEAL AND ASSOCIATES, P.C.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-0910-54 with Garver, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-54 with Hourly Rate Schedule for Garver, L.L.C.

and the question being upon approving Contract No. K-0910-54 with Garver, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and Contract No. K-0910-54 with Garver, L.L.C., approved; and the execution thereof was authorized.

Thereupon, Trustee Kovach moved that Contract No. K-0910-61 with Poe and Associates, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-61 with 2009 Schedule of Rates for Consulting Engineering Services

and the question being upon approving Contract No. K-0910-61 with Poe and Associates, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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Item 23, continued:

The Chairman declared the motion carried and Contract No. K-0910-61 with Poe and Associates, Inc., approved; and the execution thereof was authorized.

Thereupon, Trustee Kovach moved that Contract No. K-0910-62 with Cardinal Engineering, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-62 with Cardinal Engineering, Inc., 2009 Fee Schedule

and the question being upon approving Contract No. K-0910-62 with Cardinal Engineering, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0910-62 with Cardinal Engineering, Inc., approved; and the execution thereof was authorized.

Thereupon, Trustee Kovach moved that Contract No. K-0910-55 with Lemke Land Surveying, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-55

and the question being upon approving Contract No. K-0910-55 with Lemke Land Surveying, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0910-55 with Lemke Lane Surveying, Inc., approved; and the execution thereof was authorized.

Thereupon, Trustee Kovach moved that Contract No. K-0910-63 with Poe and Associates, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-63

and the question being upon approving Contract No. K-0910-63 with Poe and Associates, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0910-63 with Poe and Associates, Inc., approved; and the execution thereof was authorized.

Item 23, continued:

Thereupon, Trustee Kovach moved that Contract No. K-0910-64 with Mark Deal and Associates P.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated August 6, 2009, from Charlie Thomas, Capital Projects Engineer, to City Council/Norman Utilities Authority
- 2. Contract No. K-0910-64

and the question being upon approving Contract No. K-0910-64 with Mark Deal and Associates, P.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0910-64 with Mark Deal and Associates, P.C., approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-0910-57: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA TO PROVIDE SOLID WASTE DISPOSAL SERVICES TO THE UNIVERSITY OF OKLAHOMA THROUGH JUNE 30, 2011.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Contract No. K-0910-57 with the Board of Regents of the University of Oklahoma in the amount of \$32.00 per ton beginning July 1, 2009, through June 30, 2010, and \$33.00 per ton beginning July 1, 2010, through June 30, 2011, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated July 28, 2009, from Ken Komiske, Director of Utilities, to Norman Municipal Authority
- 2. Contract No. K-0910-57

and the question being upon approving Contract No. K-0910-57 with the Board of Regents of the University of Oklahoma in the amount of \$32.00 per ton beginning July 1, 2009, through June 30, 2010, and \$33.00 per ton beginning July 1, 2010, through June 30, 2011, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0910-57 with the Board of Regents of the University of Oklahoma in the amount of \$32.00 per ton beginning July 1, 2009, through June 30, 2010, and \$33.00 per ton beginning July 1, 2010, through June 30, 2011, approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-0910-66: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EUSEBIUS J. BELTRAN IN THE AMOUNT OF \$400,000 FOR THE PURCHASE OF TWO ACRES OF REAL PROPERTY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. ONE QUARTER MILE NORTH OF TECUMSEH ROAD TO BE USED FOR THE NORTHWEST FIRE STATION. (FIRE STATION NO. EIGHT)

Councilmember Kovach moved that Contract No. K-0910-66 with Eusebius J. Beltran in the amount of \$400,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 14, 2009, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers
2. Contract No. K-0910-66 with Schedule A, Legal Description

Participants in discussion

1. Mr. Jim Bailey, Deputy Fire Chief
2. Ms. Kathryn Walker, Assistant City Attorney
3. Mr. Sylvia Martin, Post Office Box 430, asked questions

and the question being upon approving Contract No. K-0910-66 with Eusebius J. Beltran in the amount of \$400,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0910-66 with Eusebius J. Beltran in the amount of \$400,000 approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

CONSIDERATION OF THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. R-0910-41: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF TECUMSEH ROAD AND JOURNEY PARKWAY/HEALTHPLEX PARKWAY.

RESOLUTION NO. R-0910-42: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

RESOLUTION NO. R-0910-43: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM STATE (STP-STATE) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF U.S. HIGHWAY 77 (FLOOD AVENUE) AND FRANKLIN ROAD.

Councilmember Kovach moved that Resolution No. R-0910-41 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 13, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
2. Resolution No. R-0910-41

Item 26, continued:

and the question being upon adopting Resolution No. R-0910-41, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-41 was adopted.

Thereupon, Councilmember Kovach moved that Resolution No. R-0910-42 be adopted, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. Memorandum dated August 13, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
 - 2. Resolution No. R-0910-42

and the question being upon adopting Resolution No. R-0910-42, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-42 was adopted.

Thereupon, Councilmember Kovach moved that Resolution No. R-0910-43 be adopted, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. Memorandum dated August 13, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
 - 2. Resolution No. R-0910-43

and the question being upon adopting Resolution No. R-0910-43, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-43 was adopted.

* * * * *

Item 27, being:

CONSIDERATION OF ACCEPTANCE OF A LETTER OF BINDING COMMITMENT FROM THE OKLAHOMA WATER RESOURCES BOARD IN CONNECTION WITH AN ORDER APPROVING A CLEAN WATER STATE REVOLVING FUND LOAN IN THE AMOUNT OF \$7,640,000 FOR THE LIFT STATION D REHABILITATION PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that the Letter of Binding Commitment be accepted and submission thereof to the Oklahoma Water Resources Board be directed, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated August 6, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Letter of Binding Commitment dated June 12, 2009, from Joe Freeman, Chief, Financial Assistance Division, State of Oklahoma Water Resources Board, to Ms. Cindy Rosenthal, Chairperson, Norman Utilities Authority
3. State of Oklahoma Water Resources Board Order Approving Funding Application, Loan Application No. ORF-0017-CW, Norman Utilities Authority, Cleveland County, Oklahoma, dated June 9, 2009

and the question being upon accepting the Letter of Binding Commitment and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and the Letter of Binding Commitment accepted; and submission thereof to the Oklahoma Water Resources Board was directed.

* * * * *

Item 28, being:

RESOLUTION NO. R-0910-44: A RESOLUTION APPROVING AND AUTHORIZING A CLEAN WATER STATE REVOLVING FUND (SRF) LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$7,640,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$7,640,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR CLEAN WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY OF NORMAN LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE NORMAN UTILITIES AUTHORITY; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Resolution No. R-0910-44 be adopted, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated August 17, 2009, from Anthony Francisco, Finance Director/NUA Treasurer, to Honorable Mayor and City Councilmembers and Honorable Trustees of the Norman Utilities Authority
2. Resolution No. R-0910-44 with Exhibit “A”, Fees and Expenses Paid at Closing

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities
2. Mr. Anthony Francisco, Director of Finance

and the question being upon adopting Resolution No. R-0910-44, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Resolution No. R-0910-44 was adopted.

* * * * *

Item 29, being:

RESOLUTION NO. R-0910-45: A RESOLUTION APPROVING ACTION TAKEN BY THE NORMAN UTILITIES AUTHORITY AUTHORIZING ISSUANCE, SALE, AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY OF NORMAN LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE NORMAN UTILITIES AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Kovach moved that Resolution No. R-0910-45 be adopted, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
 - 1. Resolution No. R-0910-45
- Participants in discussion
 - 1. Mr. Anthony Francisco, Director of Finance

and the question being upon adopting Resolution No. R-0910-45, a vote was taken with the following result:

- | | |
|--------|--|
| YEAS: | Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Resolution No. R-0910-45 was adopted.

* * * * *

Item 30, being:

RESOLUTION NO. R-0910-46: A RESOLUTION APPROVING AND AUTHORIZING A DRINKING WATER STATE REVOLVING FUND (SRF) LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$14,000,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$14,000,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR DRINKING WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY OF NORMAN LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE NORMAN UTILITIES AUTHORITY; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Resolution No. R-0910-46 be adopted, which motion was duly seconded by Trustee Cubberley;

- Items submitted for the record
 - 1. Resolution No. R-0910-46 with Exhibit “A”, Fees and Expenses Paid at Closing
- Participants in discussion
 - 1. Mr. Ken Komiske, Director of Utilities
 - 2. Mr. Anthony Francisco, Director of Finance

and the question being upon adopting Resolution No. R-0910-46, a vote was taken with the following result:

- | | |
|--------|---|
| YEAS: | Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal |
| NAYES: | None |

The Chairman declared the motion carried and Resolution No. R-0910-46 was adopted.

* * * * *

Item 31, being:

RESOLUTION NO. R-0910-47: A RESOLUTION APPROVING ACTION TAKEN BY THE NORMAN UTILITIES AUTHORITY AUTHORIZING ISSUANCE, SALE, AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY OF NORMAN LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE NORMAN UTILITIES AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Kovach moved that Resolution No. R-0910-47 be adopted, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
 - 1. Resolution No. R-0910-47
- Participants in discussion
 - 1. Mr. Anthony Francisco, Director of Finance

and the question being upon adopting Resolution No. R-0910-47, a vote was taken with the following result:

- | | |
|--------|--|
| YEAS: | Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Resolution No. R-0910-47 was adopted.

* * * * *

Item 32, being:

PROCLAMATION NO. P-0910-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF AUGUST 29 THROUGH SEPTEMBER 5, 2009, AS NATIONAL BOWLING WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-2 proclaiming the week of August 29 through September 5, 2009, as National Bowling Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
 - 1. Proclamation No. P-0910-2
- Participants in discussion
 - 1. Ms. Mandy Haws, Owner of Sooner Bowling Center, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-2 proclaiming the week of August 29 through September 5, 2009, as National Bowling Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

- | | |
|--------|--|
| YEAS: | Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-2 proclaiming the week of August 29 through September 5, 2009, as National Bowling Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 33, being:

PUBLIC HEARING REGARDING THE ABATEMENT OF A NUISANCE, CONSISTING OF A DANGEROUS STRUCTURE, AT THE FOLLOWING LOCATION:

RESOLUTION NO. R-0910-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONDEMNING THE HEREINAFTER-DESCRIBED PREMISES AS A NUISANCE, AND PROVIDING FOR ABATEMENT THEREOF. (505 NORTH SHERRY AVENUE)

Councilmember Quinn moved that a public hearing be conducted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated August 17, 2009, from Linda Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Resolution No. R-0910-38
3. Summary of Violations at 505 North Sherry
4. Statement dated July 15, 2009, from Dean Green, Fire Inspector, to City of Norman Code Enforcement
5. Fire Department Incident Report dated January 7, 2009, for 505 North Sherry
6. Memorandum dated August 13, 2009, from Keith A. Petillo, Rehabilitation Specialist, to Linda R. Price, Revitalization Manager
7. Photographs for 505 North Sherry Avenue

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Ms. Linda Price, Revitalization Manager

Thereupon, Councilmember Cubberley moved that the public hearing be closed, which motion was duly seconded by Councilmember Kovach; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Kovach moved that the directive that Staff abate the nuisance as outlined in Resolution No. R-0910-38 as required by law be approved, which motion was duly seconded by Councilmember ; and the question being upon approving the directive that Staff abate the nuisance as outlined in Resolution No. R-0910-38 as required by law, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the directive that Staff abate the nuisance as outlined in Resolution No. R-0910-38 as required by law was approved.

Item 34, being:

RESOLUTION NO. R-0809-49: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-0809-6, SO AS TO PLACE TWO TRACTS OF LAND LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION, AND PLACE ONE TRACT OF LAND IN THE COMMERCIAL AND MEDIUM DENSITY RESIDENTIAL DESIGNATIONS AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION, FOR THE HEREINAFTER DESCRIBED PROPERTY. (LOCATED AT THE SOUTHEAST CORNER OF 12TH AVENUE S.E. AND STATE HIGHWAY 9)

To allow discussion, Councilmember Cubberley moved that Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Memorandum dated July 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6
3. Location map
4. Staff Report dated July 9, 2009, recommending approval
5. Pertinent excerpts from Planning Commission minutes of July 9, 2009

Participants in discussion

1. Mr. Jason Cotton, Cardinal Engineering, Inc., 3226 Bart Connors Drive, engineer representing the applicant
2. Ms. Susan Connors, Director of Planning and Community Development
3. Mr. Steven Tyler Holman, 783 DeBarr Avenue, asked questions
4. Mr. Shawn O’Leary, Director of Public Works

and the question being upon adopting Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	None
NAYES:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

The Mayor declared the motion failed and Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, was not adopted.

* * * * *

Item 35, being:

ORDINANCE NO. O-0809-17: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND TO REMOVE THE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED EAST OF 12TH AVENUE S.E. AND ONE-QUARTER MILE NORTH OF EAST CEDAR LANE)

Adoption of Ordinance No. O-0809-17 was contingent upon Item 34, Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, being adopted. Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, was not adopted so this item was not considered.

Item 36, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR VICTORY PARK ADDITION, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 1, BLOCK 1, SHAKLEE ADDITION (FORMERLY KNOWN AS NRH FOUNDATION ADDITION) AND WAIVER OF ALLEY REQUIREMENTS.

Approval of a preliminary plat for Victory Park Addition, a Planned United Development, was contingent upon Item 34, Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, being adopted. Resolution No. R-0809-49, Land Use Plan Amendment No. LUP-0809-6, was not adopted so this item was not considered.

Item 37, being:

ORDINANCE NO. O-0809-48: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 23A OF THE AMENDED PLAT OF WETZLER ADDITION TO THE CITY OF NORMAN, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TIMBERDELL ROAD AND CHAUTAUQUA AVENUE)

Ordinance No. O-0809-48 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2009, Councilmember Dillingham moved that Ordinance No. O-0809-48 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated July 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-48
3. Location map
4. Staff Report dated July 9, 2009, recommending approval
5. Letter of request dated April 29, 2009, from Armando Rosell, Mulinex, Ogden, Hall, Andrews, and Ludlam, to Brenda Hall, City of Norman Clerk
6. Certificate of Bonded Abstractor from Mitzi Combs, Abstractor License No. 93, First American Title and Trust Company
7. Ownership List, Order No. 1184224, dated April 8, 2009
8. Memorandum dated May 13, 2009, from Jim Speck, Capital Projects Engineer, to Jeff Bryant, City Attorney
9. Memorandum dated April 29, 2009, from Brenda Hall, City Clerk, to Doug Koscinski, Current Planning Manager; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Development Coordinator
10. Letter of no objection dated June 15, 2009, from Shannon Davis, Oklahoma Natural Gas, a Division of ONEOK, to Ken Danner, City of Norman
11. Pertinent excerpts from Planning Commission minutes of July 9, 2009

Participants in discussion

1. Mr. Armando Rosell, Mulinex, Ogden, Hall, Andrews, and Ludlam, 905 24th Avenue N.W., Suite B-1, attorney representing the applicant

and the question being upon adopting Ordinance No. O-0809-48 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0809-48 was adopted upon Second Reading section by section.

Item 37, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-0809-48 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-0809-48 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0809-48 was adopted upon Final Reading as a whole.

* * * * *

Item 38, being:

RESOLUTION NO. R-0910-14: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-0910-1, SO AS TO PLACE PART OF THE NORTHWEST QUARTER, SECTION 34, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (LOCATED AT THE SOUTH SIDE OF MAIN STREET ONE-EIGHTH MILE EAST OF 48TH AVENUE S.W.)

Councilmember Griffith moved that Resolution No. R-0910-14, Land Use Plan Amendment No. LUP-0910-1, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Quinn;

- Items submitted for the record
- 1. Memorandum dated July 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
 - 2. Resolution No. R-0910-14, Land Use Plan Amendment No. LUP-0910-1
 - 3. Location map
 - 4. Staff Report dated July 9, 2009, recommending approval
 - 5. Pertinent excerpts from Planning Commission minutes of July 9, 2009
- Participants in discussion
- 1. Mr. Harold Heiple, 218 East Eufaula Avenue, attorney representing the applicant

and the question being upon adopting Resolution No. R-0910-14, Land Use Plan Amendment No. LUP-0910-1, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-14, Land Use Plan Amendment No. LUP-0910-1, was adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 39, being:

ORDINANCE NO. O-0910-1: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-1, LOCAL COMMERCIAL DISTRICT, AND TO REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF MAIN STREET APPROXIMATELY ONE-EIGHTH MILE EAST OF 48TH AVENUE S.W.)

Ordinance No. O-0910-1 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2009, Councilmember Kovach moved that Ordinance No. O-0910-1 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Ordinance No. O-0910-1 with Exhibit A, Proposed Site Plan
- 2. Location map
- 3. Staff Report dated July 9, 2009, recommending approval
- 4. Pertinent excerpts from Planning Commission minutes of July 9, 2009

and the question being upon adopting Ordinance No. O-0910-1 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-1 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0910-1 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-0910-1 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-1 was adopted upon Final Reading as a whole.

* * * * *

Item 40, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR GRACE ADDITION, SECTION 2, A REPLAT OF PART OF WILLOWCREST ADDITION AND A REPLAT OF ARBOR PLAZA ADDITION, AND WAIVER OF ALLEY REQUIREMENTS.

Councilmember Kovach moved that the preliminary plat and waiver of alley requirements for Grace Addition, Section 2, a replat of part of Willowcrest Addition and a replat of part of Arbor Plaza Addition, be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated August 10, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Preliminary plat
- 4. Site plan
- 5. Staff Report dated July 9, 2009, recommending approval
- 6. Letter requesting alley waiver dated July 1, 2009, from Walt Joyce, Triad Design Group, to Jim Gasaway, Planning Commission
- 7. Pertinent excerpts from Planning Commission minutes of July 9, 2009

Item 40, continued:

and the question being upon approving the preliminary plat and waiver of alley requirements for Grace Addition, Section 2, a replat of part of Willowcrest Addition and a replat of part of Arbor Plaza Addition, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the preliminary plat and waiver of alley requirements for Grace Addition, Section 2, a replat of part of Willowcrest Addition and a replat of part of Arbor Plaza Addition was approved.

* * * * *

MISCELLANEOUS DISCUSSION

National Bowling Week. Councilmember Quinn said bowling is a life long experience for some. He said he recently visited family in Portland, Maine, and found out that his 88-year-old aunt participates in a bowling league in Maine with people that are the same age. He said as a former physical education teacher, he applauds the recognition of bowling.

*

Shop Norman. Councilmember Quinn urged citizens to “Shop Norman”.

*

Item 34, Land Use Plan Amendment. Mayor Rosenthal said she felt Staff had been trying to do their job and solve a problem regarding compatible land uses in Item 34, a land use plan amendment which failed. She said Council and Staff need to look at industrial and job development opportunities as the City moves forward. She said the Citizen Satisfaction Survey listed this issue as an area of concern.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Atkins moved that the meeting be adjourned, which motion was duly seconded by Councilmember Cubberley; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 8:05 p.m.

ATTEST:

City Clerk

Mayor